



Atty. Dkt. No. 072982-0259

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Masaaki MICHIDA  
Title: WIRELESS COMMUNICATION APPARATUS AND WIRELESS  
COMMUNICATION SYSTEM THEREWITH  
Appl. No.: 10/528,046  
International Filing Date: 09/17/2003  
371(c) Date: 03/16/2005  
Examiner: Feild, Lynn Diana  
Art Unit: 2616  
Confirmation Number: 2780

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

### **TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), within three (3) months of the mailing date of the foreign office communication.

### **RELEVANCE OF EACH DOCUMENT**

The documents listed on the attached PT0/SB/08 were cited as being relevant during the prosecution of the corresponding Chinese application. A partial English translation of the Chinese Office Action of March 9, 2007, follows:

1. Claim 1 is rejected under Article 22(3) of the Chinese Patent Law.

Reference 1 (JP 200186051A, 2001-3-30) discloses a wireless communication system. Specifically, Reference 1 discloses the following features: a wireless communication apparatus used in a wireless communication system having a redundant configuration, signals are assigned to the current communication apparatus and the standby communication apparatus by an assigning device (corresponding to the feature “receiving same signals from an MUX device through a current cable circuit and a standby-cable circuit”), the current communication apparatus comprising: a current cable circuit configured to have a current modem connected to the assigning device (corresponding to a current STM-N output interface circuit connected to the MUX device), and a current transmitter/receiver connected to the current modem; and a current radio circuit configured to have an antenna connecting to the current transmitter/receiver for transmitting/receiving signal from/to another wireless device; and wherein the standby communication apparatus comprises a standby cable circuit configured to have a standby modem connected to the assigning device (corresponding to the STM-N interface circuit connected to the MUX device); a standby transmitter/receiver connected to the standby modem; and a standby radio circuit configured to have an antenna connected to the standby transmitter/receiver for transmitting/receiving signals from/to another wireless device; wherein the standby communication device uses the co-

channel RF distribution and completely duplexes input through the output of the modem of the apparatus (please refer to the abstract of the Reference 1, claims 1 and 2, paragraph 18 of column 3 to paragraph 28 of column 4, and Figs. 1-5).

Reference 2 (US 5,701,595A, 12-23-1997) discloses a circulator connected between transmitter/receiver and the antenna (please refer to abstract of Reference 2, claim 1 and Figs. 1-3 and 5-11).

Article 22(3) of the Chinese Patent Law: Inventiveness means that, as compared with the technology existing before the date of filing, the invention has prominent substantive features and represents a notable progress and that the utility model has substantive features and represents progress.

2. Claim 2 is rejected under Article 22(3) of the Chinese Patent Law.

The claim 2 is a dependent claim of the claim 1 and its additional technical feature “the radio signals transmitted from the current communication means and the standby communication means are polarization signals having the same frequencies and different polarization directions” has been disclosed by Reference 1. Reference 1 has disclosed the technical feature “the current communication means transmits horizontal polarization signals and the standby communication means transmits vertical polarization signals having the same frequencies” (please refer to the abstract of Reference 1, claims 1 and 2, paragraphs 31-37 of column 5, and Figs. 1-5 and 7).

3. Claim 3 is rejected under Article 22(3) of the Chinese Patent Law.

The claim 3 depends on the claim 1 and the claim 2, but its additional technical feature has been disclosed by Reference 1: the current communication means receives a signal transmitted from a current communication means of the other wireless communication apparatus through the current radio circuit, and transmits the received signal to the receiving apparatus through the current cable circuit; and the standby communication means receives a signal transmitted from a standby communication means of the other wireless communication apparatus through the standby radio circuit, and transmits the received signal to the receiving apparatus through the standby cable circuit (please refer to the abstract of Reference 1, claims 1 and 2, paragraph 22 of column 4 to paragraph 37 of column 5, and Figs. 1-5).

4. Claim 4 is rejected under Article 22(3) of the Chinese Patent Law.

Reference 1 (JP 200186051A, 2001-3-30) discloses a wireless communication system and more specifically, it discloses the following technical features: a wireless communication system comprises a wireless communication apparatus having a redundant configuration, which assigns the signals to the current communication apparatus and the standby communication apparatus by an assigning device (corresponding to the feature of receive same signals from an MUX device to each wireless communication apparatus through a current cable circuit and a standby cable circuit), the wherein the current communication apparatus comprises a current cable circuit configured to have a current modem connected to the MUX device), and a current transmitter/receiver connected to the current modem; and a current radio circuit configured to have an antenna connecting to the current transmitter/receiver for transmitting/receiving signal from/to another wireless device; and wherein the standby communication apparatus comprises: a standby cable circuit configured to have a standby modem connected to the standby modem (corresponding to the STM-N interface circuit connected to the MUX device); a standby transmitter/receiver connected to the standby modem; and a standby wireless circuit configured to have an antenna connected to the standby transmitter/receiver for transmitting/receiving signals to another wireless device; wherein the standby communication apparatus uses the co-channel RF distribution and completely duplexes input through the output of the modem of the apparatus (please refer to the abstract of the Reference 1, claim 1 and 2, paragraph 18 of column 3 to paragraph 28 of column 4, and Figs. 1-5).

Reference 2 (US 5,701,595A): (discloses) a circulator is connected between a current transmitter/receiver and an antenna (please refer to abstract of Reference 2, the claim 1 and Figs. 1-3 and 5-11).

5. Claim 5 is rejected under Article 22(3) of the Chinese Patent Law).

The claim 5 is a dependent claim of the claim 4 and its additional technical feature “the radio signals transmitted from the current communication means and the standby communication means are polarization signals having the same

frequencies and different polarization directions” has been disclosed by Reference 1. Reference 1 has disclosed the technical feature “the current communication means transmits horizontal polarization signals and the standby communication means transmits vertical polarization signals having the same frequencies” (please refer to the abstract of Reference 1, claims 1 and 2, paragraphs 31-37 of column 5, and Figs. 1-5 and 7).

6. Claim 6 is rejected under Article 22(3) of the Chinese Patent Law.

The claim 6 is a dependent claim of claims 4 and 5. However, its additional technical feature has been disclosed by Reference 1 as follows: the current communication means receives a signal transmitted from a current communication means of the other wireless communication apparatus through the current radio circuit, and transmits the received signal to the receiving apparatus through the current cable circuit, and the standby communication means receives a signal transmitted from a standby communication means of the other wireless communication apparatus through the standby radio circuit, and transmits the received signal to the receiving apparatus through the standby cable circuit (please refer to abstract of Reference 1, claims 1 and 2, paragraph 22 of column 4 to paragraph 37 of column 5, and Figs. 1-5).

A copy of Document B2 (JP 2001-086051A) is not attached, as this reference was submitted with Applicant’s Information Disclosure Statement of March 18, 2005.

Any document listed on the attached PTO/SB/08 was cited as being relevant during the prosecution of the corresponding Chinese application. A copy of the Chinese Search Report is attached setting forth the portion of each document considered relevant by the examiner. An English-language counterpart of the foreign-language documents has not been provided. The absence of a translation or an English-language counterpart document does not relieve the PTO from its duty to consider any submitted document (37 CFR §1.98 and MPEP§609).

Applicant respectfully requests that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Although Applicant believes that no fee is required for this Request, the Commissioner is hereby authorized to charge any additional fees which may be required for this Request to Deposit Account No. 19-0741.

Respectfully submitted,

Date: June 6, 2007

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| Substitute for form 1449/PTO<br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br>Date Submitted: June 6, 2007<br><i>(use as many sheets as necessary)</i> |  |  |  | <b>Complete if Known</b> |                   |
|  |  |  |  | Application Number       | 10/528,046        |
|  |  |  |  | Filing Date              | 09/17/2003        |
|  |  |  |  | First Named Inventor     | Masaaki MICHIDA   |
|  |  |  |  | Art Unit                 | 2616              |
|  |  |  |  | Examiner Name            | Feild, Lynn Diana |
|  |  |  |  | Attorney Docket Number   | 072982-0259       |

O I P E  
 JUN 06 2007  
 PATENT & TRADEMARK OFFICE

**U.S. PATENT DOCUMENTS**

| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Document Number                          | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of<br>Cited Document | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear |
|-----------------------|--------------------------|--|--------------------------------|--|--|
|                       |                          | Number-Kind Code <sup>2</sup> (if known) |                                |  |  |
|                       | B1                       | 5,701,595                                | 12-23-1997                     | GREEN, Jr.   |  |

**UNPUBLISHED U.S. PATENT APPLICATION DOCUMENTS**

| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | U.S. Patent Application<br>Document                | Filing Date of<br>Cited Document<br>MM-DD-YYYY | Name of Patentee or Applicant of<br>Cited Document | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear |
|-----------------------|--------------------------|--|--|--|--|
|                       |                          | Serial Number-Kind Code <sup>2</sup> (if<br>known) |  |  |  |

**FOREIGN PATENT DOCUMENTS**

| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Foreign Patent Document  | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Documents | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear | T <sup>6</sup> |
|-----------------------|--------------------------|--|--------------------------------|---|--|----------------|
|                       |                          | Country Code <sup>3</sup> Number <sup>4</sup> Kind<br>Code <sup>5</sup> (if known) |                                |   |  |                |
|                       | B2                       | JP 2001-086051   | 03-20-2001                     | TOSHIBA CORP.                                       |  |                |

**NON PATENT LITERATURE DOCUMENTS**

| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the<br>item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s),<br>publisher, city and/or country where published. | T <sup>6</sup> |
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| Examiner Signature |  | Date Considered |  |
|--------------------|--|-----------------|--|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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